

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JANE DOE on behalf of herself and her minor child; JANE BOE, Sr. on behalf of herself and her minor child; JOHN COE, Sr. and JANE COE, SR. on behalf of themselves and their minor children; JOHN FROE, Sr. on behalf of himself and his minor child; JANE GOE, Sr. on behalf of herself and her minor child; JANE LOE on behalf of herself and her medically fragile child; JANE JOE on behalf of herself and her medically fragile child; CHILDRENS HEALTH DEFENSE, and all others similarly situated,

Plaintiffs,

Case No. 1:20-cv-00840-BKS-CFH

**STIPULATION EXTENDING  
TIME TO RESPOND TO CLASS  
ACTION COMPLAINT**

-against-

HOWARD ZUCKER, in his official capacity  
As Commissioner of Health for the State of New York; ELIZABETH RAUSCH-PHUNG, M.D., in her official capacity as Director of the Bureau of Immunizations at the New York State Department of Health; the NEW YORK STATE DEPARTMENT OF HEALTH; THREE VILLAGE CENTRAL SCHOOL DISTRICT; CHERYL PEDISCH, acting in Official capacity as Superintendent, Three Village Central School District; CORINNE KEANE, acting in her official capacity as Principal, Paul J. Gelinas Jr. High School, Three Village Central School District; LANSING CENTRAL SCHOOL DISTRICT; CHRIS PETTOGRASSO, acting in her capacity as Superintendent, Lansing Central School District; CHRISTINE REBERA, acting in her official capacity as Principal, Lansing Middle School, Lansing Central School District; LORRI WHITEMAN, acting in her official capacity as Principal, Lansing Elementary School, Lansing Central School District; PENFIELD CENTRAL SCHOOL DISTRICT;

DR. THOMAS PUTNAM, acting in his official capacity as Superintendent, Penfield Central School District; SOUTH HUNTINGTON SCHOOL DISTRICT; DR. DAVID P. BENNARDO, acting in his official Capacity as Superintendent, South Huntington School District; BR. DAVID MIGLIORINO, acting in his official capacity as Principal, St. Anthony's High School, South Huntington School District; ITHACA CITY SCHOOL DISTRICT; DR. LUVELLE BROWN, acting in his official capacity as Superintendent, Ithaca City School District; SUSAN ESCHBACH, acting in her official capacity as Principal, Beverly J. Martin Elementary School, Ithaca City School District; SHENENDEHOWA CENTRAL SCHOOL DISTRICT; DR. L. OLIVER ROBINSON, acting in his official capacity as Superintendent, Shenendehowa Central School District; SEAN GNAT, acting in his official capacity as Principal, Koda Middle School, Shenendehowa Central School District; ANDREW HILLS, acting in his official capacity as Principal, Arongen Elementary School, Shenendehowa Central School District; COXSACKIE-ATHENS SCHOOL DISTRICT; RANDALL SQUIER, Superintendent, acting in his official capacity as Superintendent, Coxsackie-Athens School District, Coxsackie-Athens School District; FREYA MERCER, acting in her official capacity as Principal, Coxsackie-Athens High School, Coxsackie-Athens School District; ALBANY CITY SCHOOL DISTRICT; KAWEEEDA G. ADAMS, acting in her official capacity as Superintendent, Albany City School District; MICHAEL PAOLINO, acting in his official capacity as Principal, William S Hackett Middle School, Albany City School District; and all others similarly situated

Defendants.

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**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned attorneys that the time within which defendants Coxsackie-Athens School District; Randall Squier,

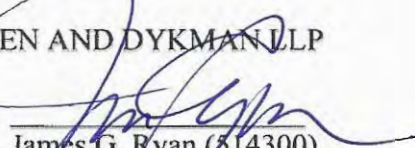
Superintendent, acting in his official capacity as Superintendent, Cossackie-Athens School District; Freya Mercer, acting in her official capacity as Principal, Cossackie-Athens High School, Cossackie-Athens School District; Shenendehowa Central School District; Dr. L. Oliver Robinson, acting in his official capacity as Superintendent, Shenendehowa Central School District; Sean Gnat, acting in his official capacity as Principal, Koda Middle School, Shenendehowa Central School District; Andrew Hills, acting in his official capacity as Principal, Arongen Elementary School, Shenendehowa Central School District; Penfield Central School District; Dr. Thomas Putnam, acting in his official capacity as Superintendent, Penfield Central School District; Lansing Central School District; Chris Pettograsso, acting in her capacity as Superintendent, Lansing Central School District; Christine Rebera, acting in her official capacity as Principal, Lansing Middle School, Lansing Central School District; and Lorri Whiteman, acting in her official capacity as Principal, Lansing Elementary School, Lansing Central School District may move, answer, or otherwise respond to the Class Action Complaint in the above referenced matter is hereby extended up to and including September 24, 2020. No provision of this Stipulation shall be construed as a waiver of, and the defendants expressly reserve any and all defenses.

**IT IS FURTHER STIPULATED AND AGREED** that this stipulation may be executed in more than one counterpart all of which when taken together shall constitute one and the same instrument. Facsimile, scan, or electronic copies of signatures shall be deemed originals.

Dated: August 24, 2020

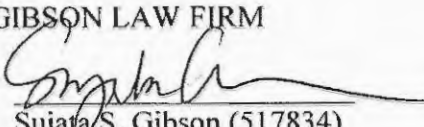
CULLEN AND DYKMAN LLP

By:

  
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SO ORDERED:

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Hon. Christian F. Hummel, U.S.M.J.

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Dated